REMARKS

Favorable consideration and allowance are requested for claims 7, 8, and 10 in view of the following remarks.

Status of the Application

Claims 7, 8, and 10 are pending in this application. Claims 1-6 were previously withdrawn. Claim 9 was previously canceled. Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable by U.S. Patent No. 5,293,163 to Kakihara *et al.* (the "Kakihara patent") in view of Japanese Patent Publication No. JP 2000-306190 to Shimoura *et al.* (the "Shimoura publication"). Claims 8 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable by Kakihara patent in view of the Shimoura publication, and U.S. Patent No. 5,874,905 to Nanba *et al.* (the "Nanba patent"). Claim 7 has been amended.

Rejections under 35 U.S.C. § 103(a)

According to the outstanding Office Action, the subject matter of claim 7 is rendered obvious by the combination of the Kakihara patent and the Shimoura publication. In response, Applicants respectfully submit that the rejection is moot in light of the amendment to claim 7 and the comments presented herein.

The present invention is directed to allowing a driver to more accurately avoid traffic jams based in part on the statistical reliability of the traffic jam information. In particular, removing abnormal data in advance (*e.g.*, due to problems with the observation system) can provide the driver with more reliable

traffic jam statistical information than that provided by a simple statistical method.

As the Office Action acknowledges, the Kakihara patent does not disclose or suggest the use of traffic jam statistical information. Instead, the Office Action states that in the Shimomura publication, "said statistical reliability is a rank classification based on a standard deviation (using Kalman filter) of said traffic jam statistical information." Office Action of March 24, 2010 at 2-3.

In response, Applicants respectfully submit that the reliability disclosed in the Shimomura publication is an estimation error in a Kalman filter observation equation, and is not the reliability of the present invention where the repeatability of a traffic jam situation is evaluated. Further, the Kakihara patent and the Shimomura publication, either alone or in combination, fail to disclose or suggest the removal of abnormal data in advance of evaluating the repeatability of the traffic jam information. For at least these reasons, Applicants respectfully submit that claim 7 is patentable over the Kakihara patent and the Shimomura publication.

The Office Action further states that the subject matter of claims 8 and 10 is rendered obvious by the combination of the Kakihara patent, the Shimomura publication, and the Nanba patent. In response, Applicants respectfully submit that the Nanba patent does not disclose or suggest the subject matter of claim 7 missing from the Kakihara patent and Shimomura patent, as discussed above. As each of claims 8 and 10 depends directly from independent claim 7, these

claims are patentable over the cited references for at least the same reasons that claim 7 is patentable.

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If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323, Docket No. 029118.53153US.

Respectfully submitted,

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